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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,763	09/29/2003	Easwaran Nambudiri	F-518	1474

7590

09/16/2005

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EXAMINER

NGUYEN, LAM S

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/673,763	NAMBUDIRI, EASWARAN	
	<b>Examiner</b>	<b>Art Unit</b>	
	LAM S. NGUYEN	2853	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,9,10,18,25 and 26 is/are rejected.
- 7) ☒ Claim(s) 2-8,11-17 and 19-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 9-10, 18, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salomon (US 5467709) in view of Broschart (US 5730049).

#### **Referring to claims 1, 10, 18:**

Salomon discloses a mail processing system comprising:

- a first feed path for a mail piece (*FIG. 2, element E*);
- a second feed path for a tape (*FIG. 2, element T*);
- a first print head adjacent to the first and second feed paths (*FIG. 3-5, element 50*),
- a mail piece transport to transport a mail piece along the first feed path past the print head for printing an indicium thereon (*FIG. 4, element 28*), the printhead printing the indicium on the mail piece (*FIG. 2: The printhead prints the mail at position B*); and
- a tape drive to drive a tape along the second feed path past the print head for printing an indicium thereon (*FIG. 4, element 47 and FIG. 2: The printhead prints the tape at position C*).

Salomon does not disclose the system including a second print head being located downstream of the first print head, wherein each of the first and second printheads prints a

Art Unit: 2853

portion of the indicium on the mail piece, wherein the indicium is an image including odd and even columns of dots, and the portion of the indicium printed by the first print head when the indicium is printed on the mail piece includes one of the even or odd columns and the portion of the indicium printed by the second print head includes the other of the even or odd columns **(Referring to claims 9, 25).**

Broschart discloses a mailing machine including two printheads for printing an indicia on a mailpiece (*Abstract*), wherein each of the first and second printheads prints a portion of the indicia on the mail piece (*Abstract and column 2, lines 29-35*), wherein the indicia is an image including odd and even columns of dots, and the portion of the indicia printed by the first print head when the indicia is printed on the mail piece includes one of the even or odd columns and the portion of the indicia printed by the second print head includes the other of the even or odd columns (*FIG. 2-6 and column 3, lines 50-65*).

Therefore, it would have been obvious for one having ordinary skill in the art at the time invention was made to modify the mailing processing system disclosed by Salomon to include two printheads each prints a portion of the indicium as disclosed by Broschart. The motivation for doing so would have been to provide a high speed mailpiece processing capability as taught by Broschart (*column 2, lines 15-18*).

**Solomon discloses the following claimed invention:**

**Referring to claim 26:** wherein the mail piece transport operates at a first speed, and the tape drive operates at a second speed, the second speed being slower than the first speed (*FIG. 1 and 4*).

*Allowable Subject Matter*

Claims 2-8, 11-17, and 19-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Referring to claims 2, 11, and 19:** The primary reasons for the indication of the allowability of the claims is the inclusions therein, in combination as currently claimed, of the limitation that wherein the controller determines which one of the first and second print head will be used to print the indicium on the tape, and controls the tape drive to position the tape adjacent to the determined print head for printing of the indicium is neither disclosed nor taught by the cited prior art of record, alone or in combination.

Claims 3-8, 12-17, and 20-24 are allowed because they depend directly/indirectly on claim 2, 11, or 19.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAM S. NGUYEN whose telephone number is (571)272-2151. The examiner can normally be reached on 7:00AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, STEPHEN D. MEIER can be reached on (571)272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2853

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN

09/14/2005



HAI PHAM  
PRIMARY EXAMINER